

REMARKS

I. Introduction

Claims 1-19, 21-41, 43-90 and 92-94 have been examined. Claims 1-19, 21-41, 43-69, 90 and 92-94 are allowed. Claims 71-89 contain allowable subject matter. Claim 70, however, is rejected. Specifically, claim 70 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over newly applied U.S. Patent No. 5,208,811 to Kashio et al. (hereinafter “Kashio”), in view of U.S. Patent No. 5,323,392 to Ishii et al. (hereinafter “Ishii”).

II. Allowable Subject Matter

As noted above, claims 1-19, 21-41, 43-69, 90 and 92-94 are allowed. Furthermore, claims 71-89 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

III. Claim Rejections – 35 U.S.C. § 103(a)

As noted above, claim 70 stands rejected under § 103(a) as allegedly being unpatentable over Kashio in view of Ishii.

As an initial matter, claim 70 is amended to further clarify that “said upper layer is Ethernet MAC layer, said first type of frames are MAC frames, said second type of frames are LAPS frames, and the third type of frames are SDH/SONET frames.”¹

¹ These claim amendments are similar to the amendments to claims 1 and 27 presented in Applicant’s Amendment Under 37 C.F.R. § 1.111 filed on February 10, 2005.

It is respectfully submitted that neither Kashio nor Ishii, alone or in combination, suggests these additional features of claim 70. Accordingly, claim 70 is not rendered obvious by the proposed Kashio and Ishii combination.

IV. Formal Matter – Claim Objections

The Examiner objects to claims 7, 32 and 76 because the variable x of the polynomial in these claims seems as though it is negative, i.e., “- x ”. It appears that the Examiner’s confusion may be due to her viewing of the marked-up version of these claims (*see, e.g.*, Applicant’s Amendment Under 37 C.F.R. § 1.111 filed on February 10, 2005), wherein the strikethrough symbol is similar in appearance to a negative sign. As shown in the current claim set, presented herein, the variable “ x ” in claims 7, 32 and 76 is clearly not preceded by a negative sign. Accordingly, the Examiner is requested to withdraw her objection to claims 7, 32 and 76.

The Examiner objects to claims 11 and 35 because they both recite “octet stuffing” in parentheses. The Examiner suggests replacing the language “(octet stuffing)” in claims 11 and 35 with “by octet stuffing”. Accordingly, claims 11 and 35 are cosmetically amended to replace the objectionable language with the Examiner’s proposed language, thereby obviating the Examiner’s objection to claims 11 and 35.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/817,269
Attorney Docket No. Q62636

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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